

MAR 14 2006

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A "PRIOR" PATENT**Docket Number  
00491/HG

In re Application of: Noriki TACHIBANA et al.

Application No.: 09/610,033

Filed: July 5, 2000

For: CELLULOSE ESTER FILM AND PRODUCTION METHOD OF THE SAME

The owner, KONICA CORPORATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond:

(1) the expiration date of the full statutory term of first prior patent No. 6,652,926 ;  
as the term of said first prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said first prior patent is presently shortened by any terminal disclaimer; and

(2) the expiration date of the full statutory term of second prior patent No. 6,828,006 as the term of said second prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said second prior patent is presently shortened by any terminal disclaimer.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and said first and second prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the first or of the second prior patent, as the term of said prior patent is presently shortened by any terminal disclaimer, in the event that either of said prior patents later:

expires for failure to pay a maintenance fee;

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is held unenforceable;

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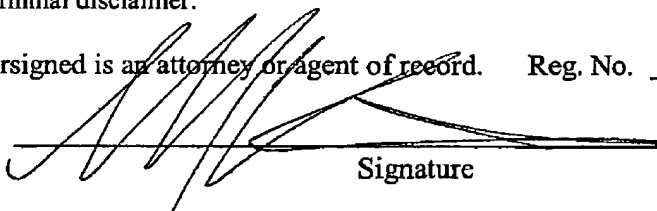
is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record. Reg. No. 26,853

Signature

March 14, 2006

Date

Marshall J. Chick

Typed or printed name

(212) 319-4900

Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.